

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)**

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In re: : Chapter 11
: :
CIRCUIT CITY STORES, INC., *et al.*, : Case No. 08-35653 (KRH)
: :
Debtors. :
: :
: :
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MOTION FOR LEAVE OF COURT TO ATTEND HEARING BY TELEPHONE

Pioneer Electronics, Inc. ("Pioneer") creditor in the above-captioned chapter 11 cases, by and through their undersigned counsel, and pursuant to the Court's Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures, hereby moves for leave of Court to attend the November 12, 2009 hearing by telephone. In support thereof, Pioneer states as follows:

1. On November 10, 2008 (the "Petition Date"), the above-captioned debtors and debtors-in-possession (collectively, "Debtors"), filed voluntary petitions in this Court for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code").

2. On October 13, 2009, the Debtors filed their Fifty-Second Omnibus Objection to Certain 503(b)(9) claims (the "Objection"). The Objection seeks entry of an order holding 503(b)(9) claims in abeyance while the Debtors investigate potential preference claims.

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3. Pioneer filed a response to the Objection on November 4, 2009. In their responses, Pioneer provided the Court with arguments and authorities as to why the Objection should be overruled.

4. Arguments related to the Debtor's Objection and the responses from Pioneer will be heard by this Court on November 12, 2009 at 10:00 a.m.

5. Pioneer's lead counsel, Max Newman, has been representing Pioneer and has a unique and complete understanding of the facts and circumstances related to the arguments made by Pioneer in their responses to the Objection.

6. On November 13, 2008, the Court entered an Order Pursuant to Bankruptcy Code Section 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures (the "Order"). On Page 4 of Exhibit A, the Order states:

(g) Upon request, the Court may allow counsel to listen to a hearing by telephone. If a matter is contested, counsel must attend in person, unless leave of the court is granted on a case by case basis.

7. Mr. Newman is located in Michigan and will not be able to appear in person on November 12, 2009. Pioneer respectfully asks for leave of court pursuant to the Order so that he may appear by telephone.

8. Based on Mr. Newman's unique knowledge of the facts and legal arguments in this case, the ends of justice would be served by allowing Mr. Newman to appear by telephone.

WHEREFORE, Pioneer respectfully requests that this Court grant their Motion and enter an order substantially in the form annexed hereto permitting Max Newman to appear and be heard by telephone at the hearing on November 12, 2009 on behalf of Pioneer and grant such other relief as necessary and appropriate.

Respectfully submitted,

PIONEER ELECTRONICS, INC.

by: /s/ William Daniel Sullivan
Counsel

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Certificate of Service

I hereby certify that true copies of the foregoing motion and the accompanying proposed order served on all other parties entitled to notice hereof by electronic copies hereof delivered through the Court's ECF system. In view of the timing of the requested relief, no US mail copy has been served upon the Office of the United States Trustee.

/s/ William Daniel Sullivan